



IAP15 Rec'd PCT/PTO 30 MAY 2006 #6 PCT

PTO/SB/21 (09-04)

Approved for use through 07/31/2006. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

29

Application Number

10/526,127

Filing Date

28 February 2005

First Named Inventor

Peter Anthony CAMPOCHIARO

Art Unit

To Be Assigned

Examiner Name

To Be Assigned

Attorney Docket Number

116566-002

ENCLOSURES (Check all that apply)

<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to TC
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment/Reply	<input checked="" type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Change of Correspondence Address	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	Stamped Return receipt postcard
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Request for Refund	Copy of 23 March 2006 filing papers (27 pages)
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, Number of CD(s) _____	
<input type="checkbox"/> Reply to Missing Parts/Incomplete Application	<input type="checkbox"/> Landscape Table on CD	
<input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	Remarks	

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	Bell, Boyd & Lloyd PLLC
Signature	<i>Jeff J. Howell</i> Reg. No. 46,402 for
Printed name	Dean H. Nakamura
Date	26 May 2006
Reg. No.	33,981

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

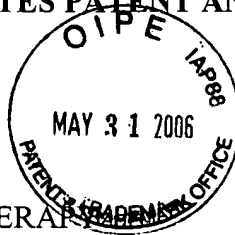
Signature	<i>Heather Foster</i>
Typed or printed name	Heather Foster
Date	26 May 2006

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Campochiaro et al.
Appl. No.: 10/526,127
Conf. No.: 2577
Filed: 28 February 2005
Title: OCULAR GENE THERAPY
Art Unit: Unassigned
Examiner: Unassigned
Docket No.: 116566-002



Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

PETITION TO WITHDRAW NOTIFICATION OF ABANDONMENT

Sir:

In a Communication mailed 17 April 2006, the Office maintained the above-captioned application is abandoned because of allegedly not responding to the Notice of Missing Requirements mailed 23 December 2005.

The Notification of Abandonment is in error as a timely and fully responsive reply to the Notice of Missing Requirements was filed.

Attached hereto is a copy of a stamped Postcard which accompanied the filing, as well as a copy of the fully responsive filing.

Moreover, the period for response along with the appropriate extension fee has not yet lapsed and the opportunity to reply remains open until 23 July 2006.

Hence, in light of the facts stated above and the evidence attached hereto, withdrawal of the Notification of Abandonment and return to pending status are requested respectfully.

It is believed no fee is necessary for the instant petition. However, if the Commissioner finds to the contrary, Deposit Account No. 02-1818 can be debited the appropriate fee for the instant petition and any other fee associated with the instant petition.

Respectfully submitted,

BELL, BOYD & LLOYD LLC

BY

Dean H. Nakamura

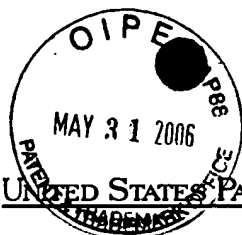
Reg. No. 33,981

P.O. Box 1135

Chicago, Illinois 60690-1135

Phone: (202) 955-6851

Dated: 25 May 2006



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/526,127	Peter Anthony campochiaro	116566-002

INTERNATIONAL APPLICATION NO.

PCT/EP03/09497

I.A. FILING DATE

08/27/2003

PRIORITY DATE

08/28/2002

Dean H Nakamura
Bell Boyd & Lloyd
P O Box 1135
Chicago, IL 60690-1135

CONFIRMATION NO. 2577

371
ABANDONMENT/TERMINATION
LETTER



OC000000018542636

Date Mailed: 04/17/2006

NOTIFICATION OF ABANDONMENT

The United States Patent and Trademark Office in its capacity as a Designated / Elected Office (37 CFR 1.495) has made the following determination:

- Applicant has failed to respond to the notification of MISSING REQUIREMENTS (Form PCT/DO/EO/905), mailed 12/23/2005 within the time period set therein.

Therefore, the above identified application failed to meet the requirements of 35 U.S.C. 371 and 37 CFR 1.495, and is ABANDONED AS TO THE UNITED STATES OF AMERICA.

SHELBY J VIGIL

Telephone: (703) 308-9140 EXT 224

PART 1 - ATTORNEY/APPLICANT COPY

FORM PCT/DO/EO/909 (371 Abandonment Notice)

RECEIVED
BELL, BOYD & LLOYD
INTELLECTUAL PROPERTY DOCKET

APR 20 2006

ATTY

DOCKET #

116566-002

002



APR 3 Rec'd PCT/PTO 27 MAR 2006

In re Patent Application of: **Campochiaro et al.**

OCULAR GENE THERAPY

Docket No. **116566-053**

On the date stamped hereon the U.S. Patent & Trademark Office hereby acknowledges the receipt of the following:

1. Transmittal Letter to the United States Designated/Elected Office (DO/EO/US) Concerning A Submission Under 35 U.S.C. 371 (duplicate);
2. Copy of Notification of Missing Requirements Under 35 U.S.C. 371 in the United States Designated/Elected Office (DO/EO/US);
3. Petition for Extension of Time (duplicate);
4. Declaration and Power of Attorney (4 pages);
5. Computer-readable form of sequence listing;
6. Sequence Listing Certification;
7. Paper copy of Sequence Listing (8 pages);
8. Check in the amount of \$250.00.

Mailed by First Class Mail by DHN on 23 March 2006

RECEIVED
BELL, BOYD & LLOYD
INTELLECTUAL PROPERTY DOCKET

APR 03 2006

ATTY DHN

DOCKET # 116566-053



D & LLOYD LLC PATENTS & TRADEMARKS ACCOUNT

028265

INVOICE NUMBER	INVOICE DATE	AMOUNT	ACCOUNT CODE	DESCRIPTION
1059	03/23/06	130.00	0116566 00002	Surcharge for furnishing the oath or declaration after the date of commencement of the national stage
1059	03/23/06	120.00	0116566 00002	One month extension of time
Nakamura				

BELL, BOYD & LLOYD LLC PATENTS & TRADEMARKS ACCOUNT THREE FIRST NATIONAL PLAZA ADISON ST. STE 3300 PH 312-372-1121 CHICAGO IL 60602		LASALLE BANK, N.A. CHICAGO, ILLINOIS 60603		028265 2-50 710	
CHECK DATE	CONTROL NUMBER	CHECK AMOUNT			
03/23/06	28265	*****250.00			
TWO HUNDRED FIFTY AND 00/100 DOLLARS					
Honorable Commissioner for Patents and Trademarks			BELL, BOYD & LLOYD LLC PATENTS & TRADEMARKS ACCOUNT NON-NEGOTIABLE AUTHORIZED SIGNATURE		

028265 0710005051 5800036328



In re Patent Application of: **Campochiaro et al.**

OCULAR GENE THERAPY

Docket No. **116566-053**

On the date stamped hereon the U.S. Patent & Trademark Office hereby acknowledges the receipt of the following:

1. Transmittal Letter to the United States Designated/Elected Office (DO/EO/US) Concerning A Submission Under 35 U.S.C. 371 (duplicate);
2. Copy of Notification of Missing Requirements Under 35 U.S.C. 371 in the United States Designated/Elected Office (DO/EO/US);
3. Petition for Extension of Time (duplicate);
4. Declaration and Power of Attorney (4 pages);
5. Computer-readable form of sequence listing;
6. Sequence Listing Certification;
7. Paper copy of Sequence Listing (8 pages);
8. Check in the amount of \$250.00.

Mailed by First Class Mail by DHN on **23 March 2006**

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A SUBMISSION UNDER 35 U.S.C. 371		ATTORNEY'S DOCKET NUMBER 116566-002
INTERNATIONAL APPLICATION NO. PCT/EP2003/009497	INTERNATIONAL FILING DATE 27 August 2003	U.S. APPLICATION NO. (If known, see 37 CFR 1.5) 10/526,127
TITLE OF INVENTION OCULAR GENE THERAPY		PRIORITY DATE 28 August 2002
APPLICANT(S) FOR DO/EO/US Campochiaro et al.		
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:		
1. <input type="checkbox"/> This is a FIRST submission of items concerning a submission under 35 U.S.C. 371. 2. <input checked="" type="checkbox"/> This is a SECOND or SUBSEQUENT submission of items concerning a submission under 35 U.S.C. 371. 3. <input type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below. 4. <input type="checkbox"/> The US has been elected (Article 31). 5. <input type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371 (c)(2)) a. <input type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau). b. <input type="checkbox"/> has been communicated by the International Bureau. c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US). 6. <input type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C.) a. <input type="checkbox"/> is attached hereto. b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4). 7. <input type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371 (c)(3)) a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau). b. <input type="checkbox"/> have been communicated by the International Bureau. c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired. d. <input type="checkbox"/> have not been made and will not be made. 8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)). 9. <input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)). 10. <input type="checkbox"/> An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371 (c)(5)).		
Items 11 to 20 below concern document(s) or information		
11. <input type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98. 12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included. 13. <input type="checkbox"/> A preliminary amendment. 14. <input type="checkbox"/> An application Data Sheet under 37 CFR 1.76. 15. <input type="checkbox"/> A substitute specification. 16. <input type="checkbox"/> A power of attorney and/or change of address letter. 17. <input checked="" type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 35 U.S.C. 1.821 - 1.825. 18. <input type="checkbox"/> A second copy of the published International Application under 35 U.S.C. 154(d)(4). 19. <input type="checkbox"/> A second copy of the English language translation of the International Application under 35 U.S.C. 154(d)(4).		

This collection of information is required by 37 CFR 1.414 and 1.491-1.492. The information is required to obtain or retain a benefit by the public, which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 15 minutes to complete, including gathering information, preparing, and submitting the completed form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

U.S. APPLICATION NO. (if known, see 37 CFR 1.5) 10/526,127		INTERNATIONAL APPLICATION NO. PCT/EP2003/009497		ATTORNEY'S DOCKET NUMBER 116566-002	
20. <input checked="" type="checkbox"/> Other items or information: Notification of Missing Requirements Under 35 U.S.C. 371 in the United States Designated/Elected Office; Petition for Extension of Time; Sequence Listing Certification; Sequence Listing; Return Receipt Postcard					
The following fees are submitted:				CALCULATIONS	PTO USE ONLY
21. <input type="checkbox"/> Basic national fee (37 CFR 1.492(a)) \$300				\$	\$0.00
22. <input type="checkbox"/> Examination fee (37 CFR 1.492(c)) If the written opinion prepared by ISA/US or the international preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article All other situations.				\$	\$0.00
23. <input type="checkbox"/> Search fee (37 CFR 1.492(b)) If the written opinion of the ISA/US or the International preliminary examination report prepared Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Searching Authority International Search Report prepared by an ISA other than the US and provided to the Office or previously communicated to the US by the IB. All other situations.				\$	\$0.00
TOTAL OF 21, 22 and 23 =				\$	\$0.00
<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing in compliance with 37 CFR 1.821(c) or (e) or computer program listing an electronic medium) (37 CFR 1.492(j)). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.					
Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof (round up to a whole number)	RATE		
- 100 =	0	/50 =	0	x	\$250.00
				\$	\$0.00
Surcharge of \$130.00 for furnishing any of the search fee, examination fee, or the oath or declaration after the date of commencement of the national stage (37 CFR 1.492(h)).				\$	\$130.00
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE		
Total claims	- 20 =	0	x \$50.00	\$	\$0.00
Independent	- 3 =	0	x \$200.00	\$	\$0.00
Multiple Dependent Claims (if applicable) <input type="checkbox"/> + \$360.00				\$	
TOTAL OF ABOVE CALCULATIONS =				\$	\$130.00
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. Fees above are reduced by 1/2.				\$	\$0.00
SUBTOTAL =				\$	\$130.00
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(i)).				+	\$
TOTAL NATIONAL FEE =				\$	\$130.00
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per				+	\$
TOTAL FEES ENCLOSED =				\$	\$130.00
				Amount to be refunded:	\$
				Amount to be charged:	\$

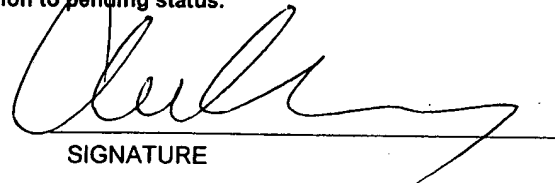
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

- a. ☒ A check in the amount of \$130.00 to cover the above fees is enclosed.
- b. ☐ Please charge my Deposit Account _____ in the amount of _____ to cover the above fees.
A duplicate copy of this sheet is enclosed.
- c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account 02-1818. A duplicate copy of this sheet is enclosed.
- d. ☐ Fees are to be charged to a credit card. **WARNING:** Information on this form may become public. **Credit card information should not be included on this form.** Provide credit card information and authorization on PTO-2038.

NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the International Application to pending status.

SEND ALL CORRESPONDENCE TO:

Dean H. Nakamura
Reg. No. 33,981
Bell, Boyd & Lloyd LLC
P.O. Box 1135
Chicago, Illinois 60690-1135
Phone: (202) 955-6851



SIGNATURE

Dean H. Nakamura

NAME

33,981

REGISTRATION NUMBER



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/526,127	Peter Anthony campochiaro	116566-002

INTERNATIONAL APPLICATION NO.

PCT/EP03/09497

I.A. FILING DATE

PRIORITY DATE

08/27/2003

08/28/2002

Dean H Nakamura
Bell Boyd & Lloyd
P O Box 1135
Chicago, IL 60690-1135

CONFIRMATION NO. 2577

371 FORMALITIES LETTER



OC000000017712854

Date Mailed: 12/23/2005

Due: 2-23-06

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 02/28/2005
- U.S. Basic National Fees filed on 02/28/2005
- Priority Documents filed on 02/28/2005

RECEIVED
BELL, BOYD & LLOYD
INTELLECTUAL PROPERTY DOCKET

DEC 30 2005

ATTY

DOCKET #

D.H.W.
116566-002

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fees required for this application is \$130 for a Large Entity:

- **\$130 Surcharge.**
- A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 CFR 1.821(e). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing" and

a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

Applicant is cautioned that correction of the above items may cause the specification and drawings page count to exceed 100 pages. If the specification and drawings exceed 100 pages, applicant will need to submit the required application size fee.

For questions regarding compliance to 37 CFR 1.821-1.825 requirements, please contact:

- For Rules Interpretation, call (571) 272-0951
- For Patentin Software Program Help, call Patent EBC at 1-866-217-9197 or directly at 703-305-3028 / 703-308-6845 between the hours of 6 a.m. and 12 midnight, Monday through Friday, EST.
- Send e-mail correspondence for Patentin Software Program Help @ ebc@uspto.gov

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

SHELBY J VIGIL

Telephone: (703) 308-9140 EXT 224

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/526,127	PCT/EP03/09497	116566-002

**PETITION FOR EXTENSION OF TIME UNDER 37 CFR 1.136(a)
(Large Entity)**

Docket No.
116566-002

In Re Application Of: **Campochiaro et al.**

Application No.	Filing Date	Examiner	Customer No.	Group Art Unit	Confirmation No.
10/526,127	28 February 2005	Unassigned	29180	Unassigned	2577

Invention: **OCULAR GENE THERAPY**

COMMISSIONER FOR PATENTS:

This is a request under the provisions of 37 CFR 1.136(a) to extend the period for filing a response to the Office Action of December 23, 2005 above-identified application.
Date

The requested extension is as follows (check time period desired):

☒ One month ☐ Two months ☐ Three months ☐ Four months ☐ Five months

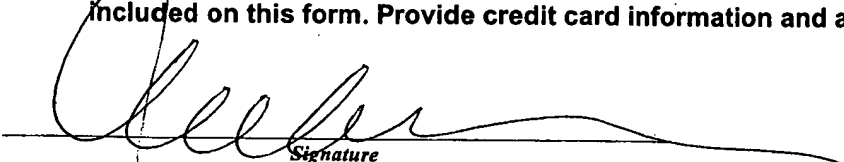
from: February 23, 2006
Date

until: March 23, 2006
Date

The fee for the extension of time is \$120 and is to be paid as follows:

- ☒ A check in the amount of the fee is enclosed.
☒ The Director is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account No. **02-1818**.
☒ If an additional extension of time is required, please consider this a petition therefor and charge any additional fees which may be required to Deposit Account No. **02-1818**.
☐ Payment by credit card. Form PTO-2038 is attached.

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.


Signature

Dated: **22 March 2006**

Dean H. Nakamura
Reg. No. 33,981
Bell, Boyd & Lloyd LLC
P.O. Box 1135
Chicago, Illinois 60690-1135
Phone: (202) 955-6851

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on

23 March 2006

(Date)

Signature of Person Mailing Correspondence

Heather Foster

Typed or Printed Name of Person Mailing Correspondence

CC:

DECLARATION AND POWER OF ATTORNEY FOR PATENT APPLICATION

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name;

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

OCULAR GENE THERAPY

the specification of which: (check one)

☐

is attached hereto.

☒

was filed on 28 February 2005, as United States Application No. or PCT International Application No. 10/526,127 and was amended on _____ (if applicable).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose to the United States Patent Office all information which is known to me to be material to the patentability of this application in accordance with Title 37, Code of Federal Regulations, 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code Section 119 or Section 365(b) of any foreign application(s) for patent or inventor's certificate, or Section 365(a) of any PCT international application which designated at least one country other than the United States, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate or PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application(s)

Number	Country	Day/Month/Year Filed	Priority Not Claimed
PCT/EP03/09497	WIPO	27 August 2003	<input type="checkbox"/>
			<input type="checkbox"/>
			<input type="checkbox"/>

I hereby claim the benefit under 35 U.S.C. Section 119(e) of any United States provisional application(s) listed below:

Application Serial No.

60/406,470

Filing Date

28 August 2002

I hereby claim the benefit under 35 U.S.C. Section 120 of any United States application(s), or Section 365(c) of any PCT international application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT international application in the manner provided by the first paragraph of 35 U.S.C. Section 112, I acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me to be material to patentability as defined in Title 37, C.F.R., Section 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application:

Application Serial No.**Filing Date****Status****(patented, pending, abandoned)**

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

And I hereby appoint the practitioners at customer number:

29180

as my attorneys with full power of substitution and revocation, to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith and direct that all correspondence be forwarded to the address associated with customer number:

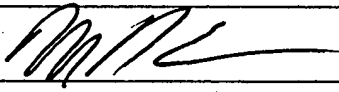
29180

Docket No. 116566-002

Full name of sole or first inventor Peter Anthony Campochiaro	
Sole or first inventor's signature <i>Peter A. Campochiaro</i>	Date <i>3/10/06</i>
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Citizenship USA	
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Second inventor's signature	Date
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Citizenship USA	
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Citizenship USA	
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Campochiaro et al.
Appl. No.: 10/526,127
Filed: 28 February 2005
Title: OCULAR GENE THERAPY
Art Unit: Unassigned
Examiner: Unassigned
Docket No.: 116566-002

Mail Stop
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

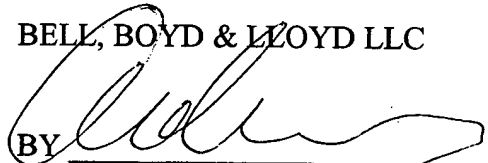
SEQUENCE LISTING CERTIFICATION

Sir:

Enclosed herewith is a computer readable form of the sequence listing. The sequence listing information recorded in computer readable form is identical to the paper sequence listing filed herewith.

Respectfully submitted,

BELL, BOYD & LLOYD LLC

BY 

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Dated: 22 March 2006

SEQUENCE LISTING

<110> NOVARTIS AG
NOVARTIS PHARMA GMBH

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<130> 116566-010

<140>

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<150> PCT/EP03/09497

<151> 2003-08-27

<150> 60/406,470

<151> 2002-08-28

<160> 25

<170> PatentIn Ver. 3.3

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35 40 45

Phe Leu Ser Ser Arg Leu Gln Asp Leu Tyr Ser Ile Val Arg Arg Ala
50 55 60

Asp Arg Ala Ala Val Pro Ile Val Asn Leu Lys Asp Glu Leu Leu Phe
65 70 75 80

Pro Ser Trp Glu Ala Leu Phe Ser Gly Ser Glu Gly Pro Leu Lys Pro
85 90 95

Gly Ala Arg Ile Phe Ser Phe Asp Gly Lys Asp Val Leu Arg His Pro
100 105 110

Thr Trp Pro Gln Lys Ser Val Trp His Gly Ser Asp Pro Asn Gly Arg
115 120 125

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130 135 140

Ala Thr Gly Gln Ala Ser Ser Leu Leu Gly Gly Arg Leu Leu Gly Gln
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Ser Phe Met Thr Ala Ser Lys
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aggctccctc ggccaacggg caggcctcct cgctgtctgg ggcaggctc ctggggcaga 480
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cctccaagta g 551

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<211> 207
<212> PRT
<213> Mus musculus

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35 40 45
Ile Arg Gly Ala Asp Phe Gln Cys Phe Gln Gln Ala Arg Ala Val Gly
50 55 60
Leu Ser Gly Thr Phe Arg Ala Phe Leu Ser Ser Arg Leu Gln Asp Leu
65 70 75 80
Tyr Ser Ile Val Arg Arg Ala Asp Arg Gly Ser Val Pro Ile Val Asn
85 90 95
Leu Lys Asp Glu Val Leu Ser Pro Ser Trp Asp Ser Leu Phe Ser Gly
100 105 110
Ser Gln Gly Gln Leu Gln Pro Gly Ala Arg Ile Phe Ser Phe Asp Gly
115 120 125
Arg Asp Val Leu Arg His Pro Ala Trp Pro Gln Lys Ser Val Trp His

130

135

140

Gly Ser Asp Pro Ser Gly Arg Arg Leu Met Glu Ser Tyr Cys Glu Thr
 145 150 155 160

Trp Arg Thr Glu Thr Thr Gly Ala Thr Gly Gln Ala Ser Ser Leu Leu
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<212> DNA

<213> Mus musculus

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<213> Homo sapiens

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<211> 38

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<212> DNA
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<212> DNA

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<210> 24
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<210> 25

<211> 27

<212> DNA

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27